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United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
ASHLEY LEYBA,  
  
Defendant.

CASE NO. 2:22-CR-00098-WBS;  
2:17-CR-00051-WBS

STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
ORDER

DATE: October 24, 2022  
TIME: 9:00 a.m.  
COURT: Hon. William B. Shubb

**STIPULATION**

Plaintiff United States of America (the “government”), by and through its counsel of record, and  
defendant Ashley Leyba, by and through her counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for a status hearing in case 2:22cr0098-WBS and  
an Admit/Deny Hearing in 2:17cr0051-WBS on October 24, 2022.
2. By this stipulation, the defendant now moves to continue the hearings until November 21,  
2022, and to exclude time between October 24, 2022, and November 21, 2022 at 9:00 a.m., under Local  
Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
  - a) To date, the government has produced over 2,800 pages of documents in  
discovery associated with this case. Counsel for the defendant desires additional time to review  
and analyze this discovery, discuss proposed resolutions with his client, explore potential  
defenses, and otherwise prepare for trial.

b) Counsel for the defendant believes that failure to grant the above-requested continuance would deny her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

c) The government does not object to the continuance.

d) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendants in a trial within the original date prescribed by the Speedy Trial Act.

e) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of October 24, 2022, to November 21, 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at the defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: October 19, 2022

PHILLIP A. TALBERT  
United States Attorney

/s/ ELLIOT C. WONG  
ELLIOT C. WONG  
Assistant United States Attorney


Dated: October 19, 2022

/s/ DAVID FISCHER  
DAVID FISCHER  
Counsel for Defendant  
ASHLEY LEYBA

**ORDER**

IT IS SO FOUND AND ORDERED.

Dated: October 19, 2022

  
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WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE